

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

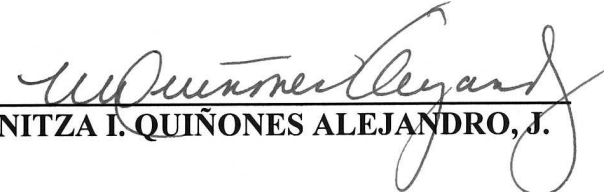
<b>JAMES Z. YELVERTON</b> <i>Plaintiff, pro se</i>	:	<b>CIVIL ACTION</b>
	:	
	:	<b>NO. 13-4495</b>
<b>v.</b>	:	
	:	
<b>DEPARTMENT OF THE ARMY, et al.</b> <i>Defendants</i>	:	
	:	

**ORDER**

**AND NOW**, this 5<sup>th</sup> day of September 2014, upon consideration of the *motion to dismiss* filed by Defendants Department of the Army and the Army Board of Correction of Military Records pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), [ECF 10], Plaintiff's response in opposition thereto, [ECF 11], the allegations contained in the complaint, [ECF 5], and for the reasons set forth in the accompanying memorandum opinion, it is hereby **ORDERED** that the motion to dismiss is **GRANTED** and this action is dismissed for lack of subject matter jurisdiction.

The Clerk of Court is directed to mark this matter **CLOSED**.

**BY THE COURT:**

  
**NITZA I. QUIÑONES ALEJANDRO, J.**